

## Chapter 3

### Speed Limits

#### 3.1 *Statutory Speed Limits*

The statutory maximum speed limit within municipal corporate limits is 35 miles per hour (MPH) and the statutory maximum speed limit outside municipal corporate limits is 55 MPH ([§20-141, b](#)). Statutory minimum speed limits for interstates and other primary routes on the State Highway System are 40 MPH for roads with maximum speed limits of 55 MPH, and 45 MPH for roads with maximum speed limits of at least 60 MPH, but are only effective when signed ([§20-141, c](#)).

#### 3.2 *Municipal Annexations*

Effective June 30, 2009, the posted speed limit of any road on the State Highway System shall remain in effect when annexed by a municipality ([SL 2009-234](#)).

For sections of rural roads annexed by municipalities the following shall apply:

1. If an existing rural speed limit (type 3) is ordinated and posted at 35 MPH then the existing rural speed limit ordinance shall be repealed.
2. If an existing rural speed limit is posted as statutory then a municipal speed limit (type 2) of 55 MPH shall be written.
3. If an existing rural speed limit (type 3) does not meet conditions 1 or 2 then the existing rural ordinance shall be repealed and a municipal speed limit (type 2) of equal speed limit conditions shall be written.
4. If an existing rural school zone speed limit (type 17 or 30) exists then the existing rural school zone speed limit ordinance shall be repealed and a municipal school zone speed limit (type 29) of equal speed limit conditions shall be written.
5. If an existing rural minimum speed limit (type 32) exists then the existing rural minimum speed limit ordinance shall be repealed and a municipal minimum speed limit (type 31) of equal speed limit conditions shall be written.
6. If an existing rural night time speed limit (type 35) exists then the existing rural night time speed limit ordinance shall be repealed and a municipal night time speed limit (type 34) of equal speed limit conditions shall be written.
7. If an existing rural variable speed limit (type 38) exists then the existing rural variable speed limit ordinance shall be repealed and a municipal variable speed limit (type 37) of equal speed limit conditions shall be written.

Municipal concurrence for these ordinances is not required, and the entry date of the ordinance can be used as the municipal approval date in TEAAS.

Once enacted, these ordinances shall go through the normal municipal concurrence process to be repealed.

### **3.3    *Speed Limit – Municipal***

NCGS Authority:    [§20-141\(d\)](#), [§20-141\(f\)](#), [§136-33.2A](#)  
NCAC Authority:    N/A  
TEPPL Reference:   [R-16](#), [S-34](#), [S-40](#), [S-41](#), [S-42](#), [S-44](#), [S-70](#)  
Ordinance Required: Yes  
Ordinance Type:    2  
Overlap Restriction: 2, 3, 37, and 38  
Typical Signs:      R2-1  
Other Signs:        R2-2, R2-6, R2-27, R10-18, R10-19

#### **Guidance:**

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural speed limit (see Section 3.3).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

#### **Example(s):**

Between 0.02 mile east of US 15 Business and 0.33 mile east of US 15.

Between 200 feet west of SR 1304 and 400 feet east of SR 1307 (seasonal, to be in effect from November 1 to December 24 of each year).

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.4    *Speed Limit – Rural***

NCGS Authority:    [§20-141\(d\)](#), [§20-141\(f\)](#), [§136-33.2A](#)  
NCAC Authority:    N/A  
TEPPL Reference:   [R-16](#), [S-34](#), [S-36](#), [S-40](#), [S-42](#), [S-43](#), [S-44](#), [S-70](#)  
Ordinance Required: Yes  
Ordinance Type:    3  
Overlap Restriction: 2, 3, 37, and 38  
Typical Signs:       R2-1  
Other Signs:         R2-2, R2-6, R10-18, R10-19

#### **Guidance:**

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

#### **Example(s):**

Between SR 1564 and NC 42.

Subdivisionwide – between SR 1193 and 0.07 mile east of SR 1193 (Cypress Landing Subdivision).

### **3.5 *School Zone Speed Limit***

NCGS Authority: N/A  
NCAC Authority: N/A  
TEPPL Reference: N/A  
Ordinance Required: N/A  
Ordinance Type: 17  
Overlap Restriction: 17  
Typical Signs: N/A  
Other Signs: N/A

#### Guidance:

This ordinance type is no longer used and is being phased out in favor of type 29 “School Zone Speed Limit – Municipal” and type 30 “School Zone Speed Limit – Rural” (see Sections 3.5 and 3.6).

#### Example(s):

N/A

### **3.6 *School Zone Speed Limit – Municipal***

NCGS Authority: [§20-141\(f\)](#), [§20-141.1](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: [S-12](#), [S-14](#), [S-46](#)  
Ordinance Required: Yes  
Ordinance Type: 29  
Overlap Restriction: 17, 29, and 30  
Typical Signs: R2-1  
Other Signs: R2-6, R10-19, S4-1, S4-2, S4-4, S4-6, S5-1, S5-2

#### Guidance:

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) adjacent to or near a school (public, private, or parochial) may be lowered following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality and can be no lower than 20 MPH ([§20-141, f](#) and [§20-141.1](#)).

Speed limits adjacent to or near a school (public, private, or parochial) on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or on any road that is a controlled access facility, should be completed as a rural school zone speed limit (see Section 3.6). Otherwise, municipal concurrence is required ([§20-141, f](#)).

Speed limits are only effective when signs are erected indicating the presence of a school zone, the maximum speed, and the days and hours that the speed limit is in effect. A timed flasher may be used in lieu of signs indicating days and hours ([§20-141.1](#)).

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Example(s):

Between 0.05 mile south of SR 1300 and 0.2 mile south of SR 1300 (Piedmont Academy, in effect from 7:30 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m., on school days only).

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 (Durham Academy, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only) – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.7 School Zone Speed Limit – Rural**

NCGS Authority: [§20-141\(b\)](#), [§20-141\(f\)](#), [§20-141.1](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: [S-12](#), [S-14](#), [S-46](#)  
Ordinance Required: Yes  
Ordinance Type: 30  
Overlap Restriction: 17, 29, and 30  
Typical Signs: R2-1  
Other Signs: R2-6, R10-19, S4-1, S4-2, S4-4, S4-6, S5-1, S5-2

Guidance:

Speed limits on State Highway System roads outside the corporate limits of a municipality, or on controlled access facilities within the corporate limits of a municipality, and adjacent to or near a school (public, private, or parochial) may be lowered by NCDOT from the statutory limit, but shall not be lower than 20 MPH ([§20-141, d](#), [§20-141.1](#)).

Speed limits in school areas on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Speed limits are only effective when signs are erected indicating the presence of a school zone, the maximum speed, and the days and hours that the speed limit is in effect. A timed flasher may be used in lieu of signs indicating days and hours ([§20-141.1](#)).

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Example(s):

Between 0.19 mile east of SR 2811 and 0.07 mile east of SR 2810 (Eastern Guilford High School, in effect from 30 minutes before to 30 minutes after school begins and ends on school days only).

### 3.8 *Speed Zone – Temporary*

NCGS Authority:	<a href="#">§20-141(d)</a> , <a href="#">§20-141(f)</a> , <a href="#">§136-33.2A</a>
NCAC Authority:	N/A
TEPPL Reference:	N/A
Ordinance Required:	Yes
Ordinance Type:	5
Overlap Restriction:	5
Typical Signs:	R2-1
Other Signs:	R2-2, R2-6, R10-19

Guidance:

Temporary speed limit ordinances are used to reduce speed limits for specific periods and conditions.

**Temporary speed limit ordinances shall not be used for construction or other work activities – use work zone ordinances for these conditions. See Sections 3.9 and 3.10 for more information.**

The specific condition (county fair, etc.), and the beginning and ending date(s) and time(s), for the reduction in speed, shall be listed in the ordinance.

Speed limits in areas outside the corporate limits of a municipality, or on any interstate or controlled access facility (rural or municipal) on the State Highway System, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit (to a maximum of 70 MPH) following

an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Example(s):

Between SR 1010 (Ten-Ten Road) and NC 50 (Benson Highway) for seasonal beach traffic (from 6:00 a.m. the Friday before Memorial Day to 6:00 p.m. the Tuesday following Labor Day).

Between SR 2365 (Greenville Road) and SR 1145 (Johnny Baker Road) for the Pitt County Fair (from 8:00 a.m. on Friday, September 19, 2008 to 8:00 a.m. on Monday, September 22, 2008).

### **3.9 Work Zone Speed Limit**

NCGS Authority: [§20-141\(d\)](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: [R-16](#), [W-21](#), [W-28](#)  
Ordinance Required: Yes  
Ordinance Type: 9  
Overlap Restriction: 9 and 36  
Typical Signs: R2-1  
Other Signs: R2-2, R2-6, R10-19

Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone speed limit (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

The ordinance shall have fixed beginning and ending points that are static and do not move.

The beginning and ending points of the ordinance do not have to match the beginning and ending points of the work zone (i.e. they can start before, at, or beyond the beginning of the work zone, and they can end within, at, or beyond the end of the work zone) depending on conditions (sight distance, etc.).

The ordinance shall have a fixed speed limit that is static and does not change.

The ordinance shall be in effect 24 hours per day, 7 days per week.

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Example(s):

Between 0.58 miles west of SR 1443 (Broughton Road) and 0.92 miles east of SR 1443 (B-2341).

### **3.10 Work Zone Variable Speed Limit**

NCGS Authority:	<a href="#">§20-141(d)</a> , <a href="#">§136-33.2A</a>
NCAC Authority:	N/A
TEPPL Reference:	<a href="#">R-16</a> , <a href="#">W-21</a> , <a href="#">W-28</a>
Ordinance Required:	Yes
Ordinance Type:	36
Overlap Restriction:	9 and 36
Typical Signs:	R2-1
Other Signs:	R2-2, R2-6, R10-19, Portable Changeable Message Signs

Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone variable speed limit (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

Specific beginning and ending points are not required.

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).



Static or changeable message signs (or other portable signs) may be used to define the work zone speeding penalty limits.

The speed limit indicated in the car and truck speed limit fields in TEAAS will be considered the minimum maximum speed limit for those types of vehicles.

The lower and upper speed limit range (surrounded by asterisks) and the incremental movement (5 MPH, 10 MPH, etc.) between the lower and upper speed limits shall be included in the ordinance description.

The actual condition(s) when the speed limit will be in effect (i.e. – when work is taking place) and the phrase “based on conditions in the field” shall also be included in the ordinance description.

Resident engineers shall indicate the locations, speed limits, and dates in their project diaries of where the variable work zone speed limits were posted and when they were in effect.

Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, based on conditions in the field, between 0.2 mile south of the Virginia State Line and the Virginia State Line, to be in effect only when workers are present and/or lane closures are implemented and signs are posted (I-4906).

### **3.11 Work Zone Speeding Penalty**

NCGS Authority: [§20-141 \(j2\)](#)  
NCAC Authority: N/A  
TEPPL Reference: [S-49](#), [W-25](#), [W-28](#)  
Ordinance Required: Yes  
Ordinance Type: 10  
Overlap Restriction: None  
Typical Signs: G20-2a, SP-03353, W20-1  
Other Signs: SP 03350, SP 07008, Portable Changeable Message Signs

Guidance:

A completed “Work Zone Ordinance Request Form” is required along with justification for the work zone speeding penalty (it is preferred that these items are sent to the Region from Work Zone Traffic Control). Division or other projects that come directly to a Region should be referred to Work Zone Traffic Control.

The ordinance shall be tied to a specific project (or projects). The project number(s) shall be entered in the “Construction Project Number” field in TEAAS.

The "begin road work" and "end road work" signs shall be posted ([§20-141, j2](#)).

The "work zone speeding penalty" sign shall be posted at the beginning, and the "end speeding penalty" sign shall be posted at the end, of any segment that it is being ordinated for the penalty, and the posted segment shall be completely contained at the limits of, or within, the "begin road work" and "end road work" signs ([§20-141, j2](#)).

Static or changeable message signs (or other portable signs) may be used to define the work zone speeding penalty limits.

The work zone speeding penalty condition may move inside the work zone limits but only if the actual "work zone speeding penalty" and "end speeding penalty" signs move.

This ordinance is only effective when signed by the State Traffic Engineer and signs are erected ([§20-141, j2](#)).

Example(s):

Between the first sign that informs motorists of a work zone speeding penalty and the last sign that informs motorists of the end of the work zone speeding penalty, between 0.3 mile east of SR 1203 and 0.2 miles west of SR 1454 (B-2341).

### **3.12 *Minimum Speed – Municipal***

NCGS Authority: [§20-141\(c\)](#), [§20-141\(f\)](#), [§20-141\(g\)](#)  
NCAC Authority: N/A  
TEPPL Reference: [M-22](#)  
Ordinance Required: Sometimes (see "Guidance")  
Ordinance Type: 31  
Overlap Restriction: 16, 31, and 32  
Typical Signs: R2-4  
Other Signs: R2-4a, R2-40

Guidance:

No ordinance is required for interstates and other primary highways that have a maximum speed limit of 55 MPH or greater ([§20-141, c](#) – see Section 3.1, "Statutory Speed Limits").

Minimum speed limits on other roads on the State Highway System within the corporate limits of a municipality may be established following an engineering and traffic investigation that determines slow speeds on any part of the road "considerably impede the normal and reasonable movement of traffic." However, these speed limits shall have concurring ordinances with the municipality and are only effective when signs are erected ([§20-141, g](#)).

Minimum speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law should be completed as a rural minimum speed limit ([§20-141, f](#) – see Section 3.12, “Minimum Speed – Rural”).

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Counties do not have statutory authority to ordinance or enact speed limits.

A minimum speed limit does not apply to “farm tractors or other motor vehicles operating at reasonable speeds for the type and nature of such vehicles” ([§20-141, g](#)).

Example(s):

Between SR 1101 (Stewart Road) and 0.35 miles south of NC 42.

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.13 *Minimum Speed – Rural***

NCGS Authority:	<a href="#">§20-141(c)</a> , <a href="#">§20-141(f)</a> , <a href="#">§20-141(g)</a>
NCAC Authority:	N/A
TEPPL Reference:	<a href="#">M-22</a>
Ordinance Required:	Sometimes (see “Guidance”)
Ordinance Type:	32
Overlap Restriction:	16, 31, and 32
Typical Signs:	R2-4
Other Signs:	R2-4a, R2-40

Guidance:

Minimum speed limits for interstates and other primary highways that have a maximum speed limit of 55 MPH or greater are already established by general statute ([§20-141, c](#) – see Section 3.1, “Statutory Speed Limits”).

For all other roads in areas outside the corporate limits of a municipality on the State Highway System, minimum speed limits may be established by NCDOT following an engineering and traffic investigation that determines slow speeds on any part of the road “considerably impede the normal and reasonable movement of traffic.” However, minimum speed limits are only effective when signs are erected ([§20-141, g](#)).

Minimum speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be set by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

A minimum speed limit does not apply to “farm tractors or other motor vehicles operating at reasonable speeds for the type and nature of such vehicles” ([§20-141, g](#)).

Example(s):

Between 0.42 miles north of US 64 and 0.78 miles south of US 64.

### **3.14 *Speed Limit on Structures***

NCGS Authority: [§20-144](#), [§136-33.2A](#)

NCAC Authority: N/A

TEPPL Reference: [R-16](#)

Ordinance Required: Yes

Ordinance Type: 33

Overlap Restriction: None

Typical Signs: R2-1

Other Signs: R2-2, R2-6, R10-19

Guidance:

When speed may affect the safety of a public structure (bridge, causeway, or viaduct), a safety and engineering study shall be used to determine the maximum safe speed for the structure ([§20-144](#)).

Safety and engineering studies should be conducted or approved by the NCDOT.

Municipal concurrence is not required if the structure is within the corporate limits of a municipality ([§20-144](#)).

Signs shall be posted 100 feet from each end of the structure indicating the maximum safe speed for the structure ([§20-144](#)).

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Example(s):

Bridge 170276 over Southern Railroad.

### **3.15 *Night Time Speed Limit – Municipal***

NCGS Authority: [§20-141](#), [§136-18\(5\)](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: [R-16](#)  
Ordinance Required: Yes  
Ordinance Type: 34  
Overlap Restriction: 34 and 35  
Typical Signs: R2-3  
Other Signs: R2-6, R2-27, R10-18, R10-19

#### **Guidance:**

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural night time speed limit (see Section 3.15).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

#### **Example(s):**

Between SR 1478 (Sunset Road) and SR 1001 (River Road).

Between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

### **3.16 Night Time Speed Limit – Rural**

NCGS Authority: [§20-141](#), [§136-18\(5\)](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: [R-16](#)  
Ordinance Required: Yes  
Ordinance Type: 35  
Overlap Restriction: 34 and 35  
Typical Signs: R2-3  
Other Signs: R2-6, R2-27, R10-18, R10-19

#### Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

#### Example(s):

Between US 117 and SR 1143.

### **3.17 Variable Speed Limit – Municipal**

NCGS Authority:	<a href="#">§20-141</a> , <a href="#">§136-18(5)</a> , <a href="#">§136-33.2A</a>
NCAC Authority:	N/A
TEPPL Reference:	N/A
Ordinance Required:	Yes
Ordinance Type:	37
Overlap Restriction:	2, 3, 37, and 38
Typical Signs:	R2-1
Other Signs:	R2-2, R2-6, R2-27, R10-18, R10-19

#### Guidance:

Speed limits on any road within the corporate limits of a municipality on the State Highway System (not including interstate or controlled access facilities) may be changed (raised or lowered) from the statutory limit following an engineering and traffic investigation. However, these speed limits shall have concurring ordinances with the municipality, can be no greater than 55 MPH, and are only effective when signs are erected ([§20-141, f](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law, or any road that is an interstate or controlled access facility, should be completed as a rural variable speed limit (see Section 3.17).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).

Static or changeable message signs (or other portable signs) may be used to define the work zone speeding penalty limits.

The speed limit indicated in the car and truck speed limit fields in TEAAS will be considered the minimum maximum speed limit for those types of vehicles.

The lower and upper speed limit range (surrounded by asterisks) and the incremental movement (5 MPH, 10 MPH, etc.) between the lower and upper speed limits shall be included in the ordinance description.

The actual condition(s), or times of day, when the lower maximum speed limit will be in effect shall also be included in the ordinance description.

Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between SR 2357 (Apple Street) and Madison Boulevard, the lower limit to be in effect from 6:30 a.m. and 9:00 a.m.

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between 0.3 mile west of NC 55 (Meeting Street) and US 70 – municipal concurrence not required due to the annexation clause in 20-141(f).

**3.18 Variable Speed Limit – Rural**

NCGS Authority: [§20-141](#), [§136-18\(5\)](#), [§136-33.2A](#)  
NCAC Authority: N/A  
TEPPL Reference: N/A  
Ordinance Required: Yes  
Ordinance Type: 38  
Overlap Restriction: 2, 3, 37, and 38  
Typical Signs: R2-1  
Other Signs: R2-2, R2-6, R10-18, R10-19

Guidance:

Speed limits on any road on the State Highway System outside the corporate limits of a municipality, or on any interstate or controlled access facility, may be lowered by NCDOT from the statutory limit following an engineering and traffic investigation, but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any interstate or controlled access facility on the State Highway System may be raised by NCDOT from the statutory limit, to a maximum of 70 MPH, following an engineering and traffic investigation but are only effective when signs are erected ([§20-141, d](#)).

Speed limits on any road on the State Highway System within municipalities that do not have a governing body to enact municipal ordinances as provided by law may be changed by NCDOT following an engineering and traffic investigation ([§20-141, f](#)).

Counties do not have statutory authority to ordinance or enact speed limits.

Engineering and traffic investigations should be conducted or approved by the NCDOT.

Any reduction of speed limits should be posted with a sign at least 600 feet in advance of the speed zone to indicate a change in the speed limit ([§136-33.2A](#)).



Example(s):

\*45 MPH or 55 MPH\* in an increment of 10 MPH, between SR 2357 (Apple Street) and Madison Boulevard, the lower limit to be in effect from 6:30 a.m. and 9:00 a.m.

**3.19 *Minimum Speed***

NCGS Authority: N/A  
NCAC Authority: N/A  
TEPPL Reference: N/A  
Ordinance Required: N/A  
Ordinance Type: 16  
Overlap Restriction: 16, 31, and 32  
Typical Signs: N/A  
Other Signs: N/A

Guidance:

This ordinance type is no longer used and is being phased out in favor of type 31 “Minimum Speed – Municipal” and type 32 “Minimum Speed – Rural” (see Sections 3.11 and 3.12).

Example(s):

N/A

### **3.20 Rest Areas**

NCGS Authority: [§20-141\(d\)](#), [§136-18\(5\)](#), [§136-18\(9\)](#)  
NCAC Authority: N/A  
TEPPL Reference: N/A  
Ordinance Required: Yes  
Ordinance Type: 3  
Overlap Restriction: 2, 3, 37, and 38  
Typical Signs: R2-1  
Other Signs: R2-2, R2-6, R10-18, R10-19

#### Guidance:

NCDOT has the authority to “acquire by gift or otherwise land for and to construct, operate and maintain roadside parks, picnic areas, picnic tables, scenic overlooks and other appropriate turnouts for the safety and convenience of highway users” ([§136-18, 9](#)). Therefore, rest areas, welcome centers, visitor centers, and other appropriate turnouts are part of the State Highway System and NCDOT has the legal authority to regulate and adjust speed limits to/from and within these facilities ([§20-141, d](#)). Also, since most (if not all) of these facilities are located off interstates and freeways, they would be considered controlled access facilities and no municipal concurrences would be required (see Section 3.4).

#### Example(s):

N/A